



State of New Jersey

NEW JERSEY STATE PAROLE BOARD

CODE OF ETHICS

All members and employees of the State Parole Board shall act in a manner consistent with the statutory purpose of the State Parole Board and shall perform their duties with equity, consistency and fairness and with due regard for the fundamental rights of society, including the right to be informed of the operations of the State Parole Board and the right to be safeguarded from criminal activity; as well as the rights of those citizens under the jurisdiction of the State Parole Board.

It is essential that the conduct of the members and employees of the State Parole Board shall hold the respect and confidence of the citizens of this State. The members and employees of the State Parole Board must, therefore, avoid conduct which is in violation of their public trust or which creates a justifiable impression among the citizenry that such trust is being violated. To insure propriety and preservation of public confidence, the members and employees of the State Parole Board shall comply with the following standards which shall be known as, and may be cited as, the Code of Ethics of the New Jersey State Parole Board.

1. No member or employee of the State Parole Board shall undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his or her objectivity or independence of judgment in the exercise of his or her official duties.
2. No member or employee of the State Parole Board shall accept from any person, whether directly or indirectly and whether by himself or herself or through his or her spouse or any member of his or her family or through any partner or associate any gift, favor, service, employment or offer of employment or any other thing of value (a) which he or she knows or has reason to believe is offered to him or her with the intent to influence him or her in the performance of his or her public duties and responsibilities or (b) under circumstances from which it might reasonably be inferred that the intent is to influence him or her in the performance of his or her public duties and responsibilities. Members and employees of the State Parole Board shall provide notice to the Ethics Liaison Officer of the receipt of a gift or any other thing of value from a person, corporation, or association with whom they have had contact in their official capacity. This section shall not apply to the acceptance of contributions to the campaign of an announced candidate for elective public office.
3. No member or employee of the State Parole Board shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public

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having knowledge of his or her acts that he or she may be engaged in conduct violative of his or her trust as a member or employee of the State Parole Board.

4. No member or employee of the State Parole Board, nor any partnership, firm or corporation in which such member or employee has interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for, or negotiate on behalf of, any person or party other than the State in connection with any cause, proceeding, application or other matter pending before any State agency; provided however, that this section shall not be deemed to prohibit any member or employee of the State Parole Board from representing, appearing for or negotiating on behalf of, any person or party other than the State in connection with any proceeding:
 - (a) Pending before any court of record in this State;
 - (b) In regard to a claim for compensation arising under Chapter 15 or Title 34 of the Revised Statutes (Workmen's Compensation);
 - (c) In connection with the determination or review of transfer inheritance or estate taxes;
 - (d) In connection with the filing of corporate or other documents in the office of the Secretary of State;
 - (e) Before the Division of Civil Rights;
 - (f) Before the NJ State Board of Mediation or any successor thereof;
 - (g) Before the NJ Public Employment Relation Commission or any successor thereof;
 - (h) Before the Unsatisfied Claim and Judgment Fund Board or any successor thereof solely for the purpose of filing a notice of intention pursuant to N.J.S.A. 39:6-65; or
 - (i) Before any State agency on behalf of a county, municipality or school district, or any authority, agency or commission of any thereof, except where the State is an adverse party in the proceeding and provided the member or employee is not holding any office or employment in the State Agency in which any such proceeding is pending.
5. No member or employee of the State Parole Board, subsequent to the termination of his or her office or employment with the State Parole Board, shall represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, or agree to represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, whether by himself or herself or through any partnership, firm or corporation in which he has an interest or through any partner, officer or employee thereof, any person or party other than the State in connection with any cause, proceeding, application or other

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matter with respect to which such member or employee shall have made any investigation, rendered any ruling, given any opinion or been otherwise substantially and directly involved at any time during the course of his or her office or employment. Pursuant to N.J.S.A. 52:13D-17, any member or employee who willfully violates the provision of this section is a disorderly person, and shall be subject to a fine not to exceed \$500.00 or imprisonment not to exceed six months, or both.

6. No member or employee of the State Parole Board shall willfully disclose to any person, whether or not for the purpose of pecuniary gain, any information not generally available to members of the public which he or she receives or acquires in the course of and by reason of his or her official duties. No member or employee of the State Parole Board shall use for the purpose of pecuniary gain, whether directly or indirectly, any information not generally available to members of the public which he receives or acquires in the course of and by reason of his or her official duties.
7.
 - a. No member or employee of the State Parole Board shall knowingly himself or herself or by his or her partners or through any corporation which he or she controls or in which he or she owns or controls more than 1% of the stock or by any other person for his or her use or benefit or on his or her other account, undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded or granted by any State agency, except as provided in subsection b. of this section. No member or employee having any duties or responsibilities in connection with the purchase or acquisition of property or services by State Parole Board shall knowingly himself or herself, by his or her partners or through any corporation which he or she controls in which he or she owns or benefit or on his or her account, undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded or granted by the State Parole Board, except as provided in subsection b. of this section.
 - b. The provisions of subsection a. of this section shall not apply to (a) purchases, contracts agreements or sales which (1) are made or let after public notice and competitive bidding or which (2) pursuant to section 5 of chapter 48 of the laws of (C. 52:34-10) or such other similar provisions contained in the public bidding laws or regulations applicable to other State agencies may be made, negotiated or awarded without public advertising or bids, or (b) any contract of insurance entered into by the Director of the Division of Purchases and Property pursuant to section 10 of article 6 chapter 112 of the laws of 1944 (C. 52:27B-62), if such purchases, contracts or agreements, including change orders and amendments thereto, shall receive prior approval of the Executive Commission on Ethical Standards.
 - c. Members of the State Parole Board on an annual basis shall file a sworn and duly notarized Financial Disclosure Statement with the Executive Commission on Ethical Standards.
8. No member or employee of the State Parole Board shall act as an officer or agent for the State Parole Board for the transaction of any business with himself or herself or with a corporation, company, association or firm in the pecuniary profits of which he or she has an interest (except that ownership or control of 10% or less of the stock of a corporation shall not be deemed an interest within the meaning of this section).

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9. a. No member or employee of the State Parole Board shall solicit, receive, or agree to receive, whether directly or indirectly, any compensation, reward, employment, gift, honorarium, out-of-State travel or subsistence expense or other thing of value from any source other than the State of New Jersey, for any service, advice, assistance, appearance, speech or any other matter related to his or her official duties, except as authorized in this section.

b. A member or employee of the State Parole Board may, in connection with any service, advice, assistance, appearance, speech or other related matter to the member's or employee's official duties, solicit, receive or agree to receive, whether directly or indirectly, from sources other than the State, the following:

(1) reasonable fees for published books on matters within the member or employee's official duties;

(2) reimbursement or payment of actual and reasonable expenditures for travel or subsistence and allowable entertainment expenses associated with attending an event in New Jersey if expenditure for travel or subsistence and entertainment expenses are not paid for by the State of New Jersey;

(3) reimbursement or payment of actual and reasonable expenditures for travel or subsistence outside New Jersey, not to exceed \$500.00 per trip, if expenditures for travel or subsistence and entertainment expenses are not paid for by the State of New Jersey. The \$500.00 per trip limitation shall not apply if the reimbursement or payment is made by (a) a nonprofit organization of which the member or employee is, at the time of reimbursement or payment, an active member as a result of the payment of a fee or charge for membership to the organization by the State; or (b) a nonprofit organization that does not contract with the State to provide goods, materials, equipment, or services.

As used in this subsection, "reasonable expenditures for travel or subsistence" means commercial travel rates directly to and from an event and food and lodging expenses which are moderate and neither elaborate nor excessive; and "allowable entertainment expenses" means the costs for a guest speaker, incidental music and other ancillary entertainment at any meal at an event, provided they are moderate and not elaborate or excessive, but does not include the costs of personal recreation, such as being a spectator at or engaging in a sporting or athletic activity which may occur as part of that event.

c. This section does not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, except that campaign contributions may not be accepted if they are known to be given in lieu of a payment prohibited pursuant to this section.

d. Pursuant to N.J.S.A. 52:13D-24(e), a violation of this section shall not constitute a crime or offense under the laws of this State.

10. No member or employee of the State Parole Board shall induce or attempt to induce any member or employee of the State Parole Board to violate any provisions of the Code of Ethics. Pursuant to N.J.S.A. 52:13D-26 any member or employee of the State Parole

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Board who willfully violates this section is a disorderly person, and shall be subject to a fine not to exceed \$500.00 or imprisonment not to exceed six months, or both.

11. No member or employee of the State Parole Board shall use his or her official position to promote any partisan political activity.
12. No member or employee of the State Parole Board shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his or her duties in the public interest.
13. No member or employee of the State Parole Board shall engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific agency of State Government without promptly filing notice of such activity with the Executive Commission on Ethical Standards.
14. No member or employee of the State Parole Board shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or herself or others.
15. No member or employee of the State Parole Board shall act in his or her official capacity in any matter wherein he or she has a direct or indirect personal or financial interest that might reasonably be expected to impair his or her objectivity or independence of judgment.
16.
 - a. Employees of the State Parole Board shall disclose all business activity or outside employment to the Chairman, or his designee, prior to being undertaken, and shall be subject to his approval. Each opinion of the Chairman shall be forwarded to the Executive Commission on Ethical Standards for approval, disapproval, or modification. All State Parole Board members and employees who have any interest in organizations doing business with the State shall file an annual report with the Chairman detailing the extent of their interest in any such organizations. Any member or employee may submit such a disclosure report to the Executive Commission on Ethical Standards for an opinion as to whether such outside interest or activity conflicts with the guidelines established in this Code of Ethics or with the Conflicts of Interest Law. "Business activity" as used in this section shall not include stockholdings unless the share held represents a majority holding.
 - b. Any member or employee of the State Parole Board licensed by a specific agency of State Government to engage in any particular business, profession, trade or occupation shall so notify the Chairman or his designee on either:
 1. The date of the adoption of this Code; or
 2. The date of his or her employment or appointment with the State Parole Board; or
 3. The date that he or she receives his or her license.

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Such licenses shall include, but are not limited to, those for accountants, architects, attorneys, electricians, insurance brokers, land surveyors, mortgage bankers and brokers, plumbers, professional planners, real estate agents and brokers.

- c. It is the policy of the State Parole Board that its members and employees disclose to the State Parole Board any actual or potential conflict between their personal interests and the interests of the State Parole Board. Questionnaires making such disclosure in compliance with this policy shall be filed annually with the Chairman or his designee. It shall be the continuing responsibility of all members and employees to promptly report to the Chairman or his designee any activity or interest which may pose an actual or potential conflict of interest.
 - d. A member or employee of the State Parole Board should seek and opinion from the Executive Commission on Ethical Standards when it is uncertain whether a proposed outside interest or activity would conflict with the established guidelines contained herein, or contained in the Conflicts of Interest Law, or would require disclosure pursuant to this Code or the Conflicts of Interest Law.
17. A member or employee of the State Parole Board should recuse or disqualify himself or herself from a matter because of a conflict of interest. The recusal is required from a matter if the person has any financial interest, direct or indirect, that is incompatible with the discharge of the person's public duties, or any personal interest, direct or indirect, that is incompatible with the discharge of the person's public duties. When it is not clear whether a situation would constitute an incompatible financial or personal interest, the member or employee should contact the Ethics Liaison Officer or the Executive Commission on Ethical Standards for guidance. A member or employee shall seek the advise of the counsel for the State Parole Board, the Ethics Liaison Officer or the Executive Commission on Ethical Standards as to the propriety of participation in a matter if any person requested that the member or employee recuse himself or herself from that matter.
 18. The Chairperson, Executive Director, Deputy Executive Director and the Director of the Division of Parole shall be prohibited from having any personal contractual or business relationship with any employee of the State Parole Board.
 19. In addition to the provisions of this Code of Ethics, the members and employees of the State Parole Board shall be subject to the requirements of the New Jersey Conflicts of Interest Law, N.J.S.A.52:13D-12 et seq., and applicable regulations of the Executive Commission on Ethical Standards, N.J.A.C.19:61.
 20. Pursuant to N.J.S.A.52:13D-23(d), violations of this Code of Ethics shall be cause for removal, suspension, demotion, or other disciplinary action by State Parole Board. When a person who is in the classified civil service is charged with a violation of this Code of Ethics, the procedure leading to such removal or discipline shall be governed by any applicable provisions of the Civil Service Law and the Rules of the Department of Personnel. No action for removal or discipline shall be taken under this section except upon the referral or with the approval of the Executive Commission on Ethical Standards.

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21. Pursuant to N.J.S.A.52:13D-21(i), any member or employee of the State Parole Board found guilty by the Executive Commission on Ethical Standards of violating any provision of N.J.S.A.52:13D-12 et seq. or this Code of Ethics shall be fined not less than \$500.00 nor more than \$10,000, which penalty may be collected in a summary proceeding pursuant to the “Penalty Enforcement Law of 1999” (N.J.S.A.2A:58-10 et seq.), and may be suspended from office or employment by order of the Commission for a period of not in excess of one year for each violation. If the Commission finds that the conduct of any member or employee of the State Parole Board constitutes a willful and continuous disregard of the provisions of N.J.S.A.52:13D-12 et seq. or this Code of Ethics, it may order such member or employee removed from his or her office or employment and may further bar such member or employee from holding any public office or employment in this State in any capacity whatsoever for a period of not exceeding five years from the date on which the member or employee was found guilty by the Commission.

APPROVED AND RE-ADOPTED by the New Jersey State Parole Board on the Thirtieth day of March, 2005.

APPROVED by the Executive Commission on Ethical Standards on the Seventh day of June, 2005.

Date

John D’Amico, Jr.
Chairman